

ENVIRONMENTAL AND UTILITIES
SERVICES

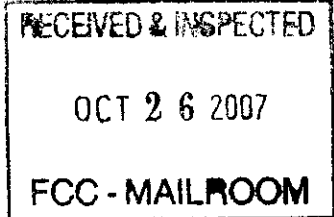
2555 SOUTH STATE STREET
ANN ARBOR, MICHIGAN 48104
PHONE (734) 994-8118

ANN ARBOR PUBLIC SCHOOLS

ANN ARBOR --- MICHIGAN

October 24, 2007

Request for Review
Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554



Re: **Request for Review**
CC Docket No. 02-6
USAC Denial 10-15-2007
Billed Entity Number **130858**
Form 471 Application Number **542873**
Funding Request Numbers **1501109**

CC: 02-6

The Ann Arbor Public School District is submitting this Request for Review to the FCC regarding the denial by USAC (attached USAC Denial 10-15-2007) because **"The correction requested was not implemented because a request for an increase in funding was received after the deadline provided in USAC's Receipt Acknowledgement Letter and as such could not be accepted."**

The Ann Arbor Public School District appealed because of a clerical error covered under the Bishop Perry Order. USAC indicates in their 10-15-2007 Denial that Ann Arbor Public Schools did not file under Bishop Perry through the Receipt Acknowledge Letter process. The Ann Arbor Public Schools contend that the "List of Corrections" published in USAC's document **Correctable Errors on FCC Forms 470 and 471** (attached) does not permit corrections to item # 20 which is the clerical error referred to in Ann Arbor Schools Appeal of 9-8-2007 (attached).

The Ann Arbor Public Schools maximum prediscout dollars have been reduced from \$60,020.04 for twelve months to \$5,001.67 for one month.

The boys and girls of Ann Arbor Public School District should not be denied full twelve month funding for FRN # 1501109 because of this incorrect denial. Thank you for your consideration.

Sincerely,

Randall J Trent
Director of Physical Property
Ann Arbor Public Schools
2555 S STATE ST
Ann Arbor, MI 48104-6175
734-994-8118 Phone
734-994-1792 Fax
trent@aaaps.k12.mi.us

Attachments:

1. USAC Denial 10-15-2007
2. List of Correctable-Ministerial-Errors
3. Ann Arbor Appeal-Clerical Errors-9-12-2007

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ANN ARBOR PUBLIC SCHOOLS

ANN ARBOR - - - MICHIGAN

September 12, 2007

Letter of Appeal
appeals@sl.universalservice.org
Schools Library Division
Dept. 125 - Correspondence Unit
100 South Jefferson Rd.
Whippany, NJ. 07981

Re: **Appeal of Clerical Error Regarding Contract Expiration Date**

BEN Name: Ann Arbor Public Schools
Billed Entity Number 130858
Form 471 Application Number 542873
Funding Year 10
Funding Request Numbers: 1501109

Dear Schools Library Division:

On 07/24/2007 the Ann Arbor Public Schools received their Year 10 Funding Commitment Decision Letter (FCDL). The Ann Arbor Public School District made a clerical error for FRN # 1501109 on Form 471 Application # 542873. FRN # 1501109 Block 5 item 20 indicated a Contract Expiration Date of 07/01/2007 which should have been 06/30/2008. Because of the clerical error the Block 5 program calculated a 1 for "Number of months of service" instead of 12. As is evident FRN # 1501109 should equal a "monthly amount" of \$4,889.67 and a "Total program year pre-discount amount" of \$58,676.04.

Ann Arbor School District seeks positive support from USAC to approve this appeal immediately so that the district may receive the full discount it is entitled according to program rules. Errors by applicants in calculating cost, clerical errors, and errors by the SLD in reviewing these, will inevitably occur. But mistakes on both sides happen with a program as complicated and administratively burdensome as the E-Rate.

Sincerely



Randall J Trent
Director of Physical Property
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2555 S STATE ST
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Important Notice Regarding Correctable Errors on FCC Forms 470 and 471

In the recent *Bishop Perry Order*,¹ the FCC directed USAC “to provide all E-rate applicants with an opportunity to cure ministerial and clerical errors on their FCC Form 470 or FCC Form 471, and an additional opportunity to file the required certifications.”² The FCC further indicated that “applicants shall have 15 calendar days from the date of the receipt of notice in writing by USAC to amend or refile the FCC Form 470, FCC Form 471 or associated certifications.”³

USAC is publishing this list of correctable errors today. Errors are broken into the following categories:

- A. Errors on Forms 470 that were previously Minimum Process Standards rejections. These corrections must be made before the Form 470 can be posted, which starts the 28-day clock.
- B. Errors on Forms 470 that can be corrected by amending the Form 470. These corrections are made to forms that are already posted, and do not affect the 28-day clock.
- C. Errors on Forms 471 that were previously Minimum Process Standards rejections. These corrections must be made before the Form 471 can be data entered and reviewed.
- D. Errors on Form 471 that can be corrected by amending the Form 471. These corrections are made to forms that are already data entered.

Applicants who completed applications during the window, but who did not certify within the window, will be given 15 days to submit their certification. In order to take advantage of this, your application must be received by USAC during the window and the only thing that was missing was the certification.

Notification for FY2006

All Applicants who applied in FY 2006 (whether you have received your FCDL or not) should carefully review all of the corrections that can be made to their forms. Applicants have 15 days, starting on July 14, 2006 to provide USAC with any allowable corrections. Corrections are due on August 2, 2006.

Because the filing window for FY 2006 has already closed, and all Forms 470 had to be posted for at least 28 days before the close of the window, only some of the errors for the Form 470 can be corrected at this time. They are:

- 1. Form 470 Certification submission deadline
- 2. Form 470 Certification received by USAC but missing a signature
- 3. Form 470 Contact person name changes
- 4. Form 470 Item 17 – List of Billed Entities

All correctable errors listed for the Form 471 are correctable now.

Starting with FY 2007, applicants will be able to take full advantage of the complete list of correctable errors.

¹ *Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, New Orleans, LA*, CC Docket No. 02-6, Order, FCC 06-54 (2006) (*Bishop Perry Order*).

² *Id.* ¶ 23.

³ *Id.* ¶ 23

How to Correct an Error for FY 2006 Form

Applicants who wish to submit a correction should follow the instructions listed on page 4 of the RAL for making changes.

Allowable corrections received within 15 days of notification from USAC will be reflected in the Funding Commitment Decision Letter.

USAC List of Correctable Ministerial and Clerical Errors

In the recent *Bishop Perry Order*,⁴ the FCC directed USAC “to provide all E-rate applicants with an opportunity to cure ministerial and clerical errors on their FCC Form 470 or FCC Form 471, and an additional opportunity to file the required certifications.”⁵ After receiving notification from USAC, applicants will have 15 calendar days to correct these errors. (It should be noted that applicants always have the option of correcting any error on a form by resubmitting that form, as long as they can comply with the any necessary deadlines.)

The following list explains which items on the FCC Form 470 and FCC Form 471 can be corrected by applicants within 15 days of notification by USAC.

FCC Form 470

There are two categories of errors that can be corrected without refileing the Form 470. Correction to items listed in the first category, Minimum Processing Standards Errors, with the exception of the Certification Deadline and the Authorized Person Signature, *must be received by USAC before the form can be posted, which starts your 28-day clock*. Corrections to the second category, Errors that can be corrected by amending the Form 470, can be made after the Form 470 has been posted.

A. Minimum Processing Standards Errors

The following items previously listed in the FCC Form 470 Instructions as Minimum Processing Standards will no longer be cause for automatic rejection. However, USAC must receive the missing information within 15 days of notification from USAC before the FCC Form 470 can be posted. The 28-day clock starts once the form is posted. It should be noted that if you are going to take full advantage of the time to make corrections, that will require at least 43 days to process (15 days to correct plus 28 days for posting.) **If you do not provide the information within 15 days, your form will be rejected for failing Minimum Process Standards and any FRN on a Form 471 will be denied.** To avoid these errors, USAC encourages applicants to use the Apply Online system.

ERROR LOCATION	CORRECTIVE ACTION ALLOWED
FCC Form 470 – Funding Year Specific	Applicants who use the wrong version of the form from a prior funding year can make corrections to the correct version of the form within 15 days of notification from USAC. This item is required before the form can be posted which starts the 28-day posting requirement.

⁴ *Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, New Orleans, LA*, CC Docket No. 02-6, Order, FCC 06-54 (2006) (*Bishop Perry Order*).

⁵ *Id.* ¶ 23.

ERROR LOCATION	CORRECTIVE ACTION ALLOWED
FCC Form 470 Block 1 Items 1 and 3 Applicant Name and Contact Information	As long as there is sufficient contact information on the form to be able to make contact with someone, applicants can provide the missing contact information within 15 days of notification from USAC. This information is required before the form can be posted which starts the 28-day posting requirement.
FCC Form 470 Block 2 Items 8, 9, 10, and 11 Summary Description of Needs or Services Requested (Telecommunications Services, Internet Access, Internal Connections Other than Basic Maintenance, and Basic Maintenance of Internal Connections)	Applicants who did not enter <i>any</i> information in <i>any</i> of these items can correct this error by providing the missing information within 15 days of notification from USAC. This information is required before the form can be posted which starts the 28-day posting requirement. Applicants who seek to correct information already posted for these items or who want to add a category of service that was not entered when the form was posted will not be allowed to make those corrections. Paper filers can correct these items before their form is posted, and online filers can file a new Form 470 as long as there is still time in the filing window.
FCC Form 470 certification submission deadline	For applications completed within the filing window, applicants can file the certifications within 15 days of notification from USAC.
FCC Form 470 Block 5 Item 27 Signature of Authorized Person	Applicants who forget to sign their certification page can correct this error within 15 days of notification by USAC. To avoid this error, USAC encourages applicants to use their PIN to e-certify.

B. Errors that can be corrected by amending the Form 470

For the items listed below, applicants can amend their Form 470 without restarting the 28-day clock -- you need only to provide the information within the 15 days after notification from USAC.

ERROR LOCATION	CORRECTIVE ACTION ALLOWED
FCC Form 470 Block 1 Items 6a Contact Person Name	Applicants will be able to submit corrections to the contact information within 15 days of notification from USAC. Before making the change, the correction will be reviewed to ensure that the change does not circumvent the FCC's competitive bidding requirements.
FCC Form 470 Block 4 Item 16c Eligible Entities That Will Receive Services – School districts, library systems or consortium applications that serve multiple entities	Applicants can submit corrections to the number of eligible entities within 15 days of notification from USAC, as long as it is not a significant departure from the scope of the original request and is due to clerical error.
FCC Form 470 Block 4 Item 17 Billed Entities that will be paying the bills information.	Applicants can submit corrections to the list of Billed Entities that will cite the Form 470 within 15 days of notification from USAC.

FCC Form 471

Applicants who discover any error on their FCC Form 471 always have the option of filing a new FCC Form 471 as long as they can do so within the filing window. The following two categories of errors, however, can be corrected without refiling the FCC Form 471.

C. Minimum Processing Standards Errors

Some items previously listed in the FCC Form 471 Instructions as Minimum Processing Standards will no longer be cause for automatic rejection. However, USAC must receive the missing information within 15 days of notification from USAC before the Form 471 can be data entered and reviewed for funding. If you do not provide the information within 15 days, your form or FRN will be rejected for failing Minimum Process Standards. You can avoid these errors by using the Apply Online system.

ERROR LOCATION	CORRECTIVE ACTION ALLOWED
FCC Form 471 – Funding Year Specific	Applicants who use the wrong version of the form from a prior funding year can make corrections to the current version of the form within 15 days of notification from USAC to correct this error. This item is required before the form can be data entered and reviewed.
FCC Form 471 Block 1 Items 1 and 3 Applicant Name and Contact Information	As long as there is sufficient contact information on the form to be able to make contact with someone, applicants can provide the missing contact information within 15 days of notification from USAC to correct this error. This information is required before the form can be data entered and reviewed.
FCC Form 471 Block 5 Item 13 and 14 Service Provider Identification Number (SPIN) and Name	If this information is missing completely, applicants will be able to submit the missing information within 15 days of notification from USAC. This information is required before the form can be data entered and reviewed.
FCC Form 471 Block 6 certification submission deadline	For applications completed within the filing window, applicants can file the certifications within 15 days of notification from USAC.
FCC Form 471 Block 6 Item 38 Signature of authorized person	Applicants who forget to sign their certification page can correct this error within 15 days of notification by USAC. To avoid this error, USAC encourages applicants to use their PIN to e-certify.

D. Errors that can be corrected by amending the Form 471

For the items listed below, applicants can amend their FCC Forms 471 without having to refile their application -- you need only to provide USAC with the information requested within 15 days of notification from USAC. Starting with Fund Year 2007, the notification from USAC will be on the Form 471 Receipt Acknowledgement Letter.

ERROR LOCATION	CORRECTIVE ACTION ALLOWED
FCC Form 471 Block 1 Billed Entity Contact Information	Applicants will be able to submit corrections to the contact information within 15 days of notification from USAC.
FCC Form 471 Block 4 Discount Calculations Worksheet	Applicants will be able to submit corrections to this item, even if it increases the discount rate, within 15 days of notification from USAC.
FCC Form 471 Block 5 Item 12 FCC Form 470 Application Number	Applicants will be able to submit corrections to this item within 15 days of notification from USAC.
FCC Form 471 Block 5 Item 13 and 14 Service Provider Identification Number (SPIN) and Name	Applicants will be able to submit corrections to this item within 15 days of notification from USAC as long as it is a <u>corrective SPIN change</u> .
FCC Form 471 Block 5 Item 15b Contract Number	Applicants will be able to submit corrections to this item within 15 days of notification from USAC.
FCC Form 471 Block 5 Item 16 Service Provider's Billing Account Number	Applicants will be able to submit corrections to this item within 15 days of notification from USAC.
FCC Form 471 Block 5 Item 18 Contract Award Date	Applicants will be able to submit corrections to this item within 15 days of notification from USAC, as long as the correction is accompanied by a certification.
FCC Form 471 Block 5 Item 22 Entities Receiving Service	Applicants will be able to submit corrections to this item, even if it causes an increase in the discount rate, within 15 days of notification from USAC. Applicants will also have an opportunity to remove entities post-commitment for purposes of the 2-in-5 Rule for Internal Connections.
FCC Form 471 Block 5 Item 23 Calculations	Applicants will be able to submit corrections to this item, even if it causes an increase in the funds requested, within 15 days of notification from USAC.
FCC Form 471 Block 6 Item 25d Amount budgeted for ineligible services	Applicants will be able to submit corrections to this item within 15 days of notification from USAC.



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2007-2008

October 15, 2007

Randall J Trent
Ann Arbor Public Schools
2555 S State Street
Ann Arbor, MI 48104-6175

Re: Applicant Name: ANN ARBOR PUBLIC SCHOOL DIST
Billed Entity Number: 130858
Form 471 Application Number: 542873
Funding Request Number(s): 1501109
Your Correspondence Dated: September 12, 2007

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2007 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1501109
Decision on Appeal: **Denied**
Explanation:

- Upon thorough review of the appeal letter and the relevant documentation, USAC has determined that you failed to request service for twelve months of service. On February 6, 2007, you were issued Receipt Acknowledgement Letter and given opportunity review and verify your information submitted for the Form 471. Based upon information you submitted, PIA processed the Form 471 and approved the request for service covering one month. The correction requested with your appeal letter was not implemented because your request for an increase in funding was received after the deadline provided in USAC's Receipt Acknowledgement Letter and as such could not be accepted. In your appeal, you did not show that USAC's determination was incorrect. Consequently, your appeal is denied.

- The FCC's Bishop Perry Order directed USAC "to provide all E-rate applicants with an opportunity to correct ministerial and clerical errors on their FCC Form 470 or FCC Form 471, and an additional opportunity to file the required certifications" without posting new FCC Forms 470 and 471. See Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, et. al., Schools and Libraries Universal Service Mechanism, File Nos. SLD-487170, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 5316-5317, FCC 06-54, para. 23 (May 19, 2006)(Bishop Perry Order). As a result, USAC sends an applicant a Receipt Acknowledgement Letter (RAL) when the FCC Form 471 has been successfully data entered and provides the applicant with an opportunity to make allowable corrections to its FCC Form 471. USAC has published a list of ministerial and clerical errors that can be corrected on pending applications without violating the program rules and has advised applicants to review this list before submitting corrections. See SLD Section of USAC web site, Reference Area, "Bishop Perry Order, List of Ministerial and Clerical Errors" at www.usac.org/sl.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company